

**Regular Meeting of the Legal Committee  
Held in the Conference Room at City Hall  
March 30, 2017**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 16-69.

**ROLL CALL**

The meeting convened at 4:00 p.m. with Chairman Perry presiding and Councilors Oropesa and Best being present; Councilor Foster being absent.

Staff present: Bill Morris, Aaron Holloman, Mike Mathews, Thomas Moody and Scott Stark.

Guests present: Larry Connolly, Bell Wolf, Chris Huebner and Caleb Grant

**APPROVAL OF AGENDA**

Councilor Best moved to approve the March 30, 2017 Legal Committee meeting agenda. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

**APPROVAL OF MINUTES**

Councilor Best moved to approve the minutes from the February 23, 2017 regular Legal Committee meeting. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

**REGULAR ITEMS**

To recommend to full City Council that the following RIAC agreements to existing leases be placed on the consent agenda for approval:

- A. Old Dog Brotherhood, Roswell Chapter, to renew their current lease agreement on Building No. 734. Mr. Stark discussed the lease agreement. Old Dog Brotherhood, Roswell Chapter leases the 2,484 square foot building for the purpose of meetings and vehicle maintenance. They have been customers since April 2011. The term is from May 1, 2017 through April 30, 2018. Councilor Best moved to approve on consent agenda Old Dog Brotherhood, Roswell Chapter to renew their current lease agreement on Building No. 734 in the amount of \$221 monthly; \$2,652 annually and subject to all terms and conditions of the lease. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.
- B. Cliff Waide, an individual, to renew his current lease agreement on "T" Hangar Building No. 120, Space 4. Mr. Stark discussed the lease agreement. Cliff Waide leases the 1,175 square foot building for the purpose of aircraft storage and maintenance. He has been a customer since January 2013. The term is from May 1, 2017 through April 30, 2018. Councilor Best moved to approve on consent

agenda Cliff Waide to renew his current lease agreement on “T” Hangar Building No. 120, Space 4 in the amount of \$185 monthly; \$2,220 annually and subject to all terms and conditions of the lease. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

- C. Aersale, Inc., a Florida Corporation, to amend their current lease agreement on Building No. 115 to allow for rent abatement in accordance with RIAC Abatement Policy. Mr. Stark discussed the rent abatement request. Aersale, Inc. is requesting rent abatement in an amount not to exceed \$6,918.44 for replacement of two overhead doors, two electric operators with photo eyes and control stations on Building No. 115. Chris Huebner from Aersale, Inc. was present to answer any questions committee members might have. Councilor Best moved to approve on consent agenda Aersale, Inc. to amend their current lease agreement on Building No. 115 to allow for rent abatement not to exceed \$6,918.44 and subject to all terms and conditions of the RIAC Abatement Policy. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.
- D. Sidney Gutierrez Middle School to exercise the first of two five year options for leased property at RIAC. Mr. Stark discussed the lease options. Sidney Gutierrez Middle School is requesting to exercise the first of two five year options on Building No. 524. New rent amount is \$2,907 monthly and \$34,884 annually on the first year of the term. The new lease term is from July 1, 2017 through June 30, 2022. Bell Wolf was present to answer any questions committee members might have. Councilor Best moved to approve on consent agenda Sidney Gutierrez Middle School to exercise the first of two five year options for leased property at RIAC in the amount of \$2,907 monthly; \$34,884 annually and subject to all terms and conditions of the lease. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

Proposed Ordinance 17-10 – Permitting Poultry within City Limits, to authorize advertisement of a public hearing on same. Mr. Holloman discussed Proposed Ordinance 17-10. Councilor Perry moved to send to full City Council Proposed Ordinance 17-10 – Permitting Poultry within City Limits and to authorize advertisement of a public hearing with the following changes:

- Section 1.1.A. Definition of acceptable poultry – chickens, turkeys, pheasants, ducks and pigeons whether kept for use or pleasure.
- Section 1.2.A. Remove “or goose”
- Section 1.2.B. Remove “one-half acre” and add “0.4 acres”
- Section 1.2.B. Remove “or goose”
- Section 1.2.C. Remove “or goose”
- Section 1.8. Add “or conditions” after “in numbers”

Councilor Best was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

### **NON-ACTION ITEMS**

Discussion of amendment to Roswell City Code to permit off-highway vehicles to operate on paved city streets. Mr. Holloman discussed off-highway vehicle use and presented the state statute and other municipal ordinances. Councilor Grant explained that currently, off-highway vehicles are not permitted to operate on City streets. Several other municipalities have followed the state's lead in permitting these vehicles to be operated subject to certain limitation. Commander Moody expressed concerns from a public safety perspective.

Update on agenda and activity for Planning and Zoning Commission. Bill Morris discussed updates and activity for Planning and Zoning Commission. There were two items on the agenda, a variance for conversion and a request for re-zoning. There are two Text Amendments that staff is processing, one for multi-generational housing and the other for lighting standards.

### **PUBLIC PARTICIPATION**

NONE

### **ADJOURN**

Meeting adjourned at 4:59 p.m.